

***Detective William J.
Burns***

***May Be Placed Under
Bond***

***As Witness for
Grand Jury***

**“It Looked Like It” Is
All**

**Solicitor General
Hugh M.**

Dorsey Would Say,
How-

ever, About This
Report.

***JURY PROBE TO
CENTER
AROUND ALLEGED
EFFORT
TO BRIBE REV.
RAGSDALE***

Solicitor General Rests
His

Case, and Defense Begins

Introduction of Rebuttal

Evidence—Hearing to Be

Resumed Today.

There were strong indications yesterday that Detective William J. Burns will be detained under heavy bond as a material witness before the Grand Jury in its investigation into bribery charges when he returns to Atlanta from Oklahoma City, where he is now testifying before a Government Land Case.

His lieutenant, Dan S. Lehon, superintendent of the Southern Division of the Burns Service, was ordered held by Judge Hill yesterday, and was put under bond of \$1,000. No other arrests, however, were ordered at the time. Lehon's bond was made at once.

Solicitor Dorsey was asked by a reporter for The Constitution Tuesday afternoon if any further arrests had been proposed. He stated that this was not likely until the return of Burns, when action would, in all probability, be taken against the noted sleuth to force him to appear before the Grand Jury.

Just Looked Like It.

Dorsey would not say affirmatively whether or not Burns would be detained. He said that "it looked like it."

The State seems determined to press a vigorous and exhaustive investigation into the bribery and coercion charges that have been made by witnesses for the State in the new trial motion for Frank. The Jury probe will center around the Rev. C. B. Ragsdale incident, in which the minister makes a confession to the effect that he was bribed to frame the sensational "Conley Confession" Affidavit, which he later repudiated.

Dorsey stated Tuesday afternoon that he did not know definitely when he would be ready to start prosecutions, as he and his staff were so busily engaged in fighting the motion for a new trial for Frank.

Lehon was notified Tuesday morning that he would be forced to put up bond for appearance before the jury. He went at once with Milton Klein to the Court and put up the required amount of \$1,000. The order against him was issued early in the morning.

Solicitor Rests Case.

Solicitor Dorsey "Rested his Case" shortly after noon Tuesday, and the Defense began submitting its rebuttal testimony. Numerous Affidavits were introduced to show the genuineness of disputed Affidavits and evidence that was attacked by the State in its counter showing.

Denial was made of the charges of bribery and coercion. Detective C. W. Burke, the Defense investigator, who has been the target for the bulk of accusations by witnesses presented by Dorsey, denied in a sheaf of Affidavits that required an hour to read the charges made against him.

Jimmie Wrenn, who was employed by Burke to assist in gathering newly discovered evidence, also made denials in numerous Affidavits of his own making. Rabbi Marx, in an Affidavit, defends himself, and Mrs. Lucile Frank, wife of the

convicted man, against Statements made in an Affidavit by Mary Rich.

The first proceeding on Tuesday was the examination of Miss Nellie Wood, the young girl witness accused by L. P. Eubanks when Eubanks went upon the stand Monday morning. She had asked Solicitor Dorsey to let her speak in her own Defense, and the request was granted by Judge Hill.

She declared that she had been engaged to be married, and that Eubanks' scandalous story had practically ruined her. She denied heatedly that she had ever been arrested, and said that Eubanks' assertion that she had "run up and down Decatur" Street was an abominable lie, and a detestable attempt to smirch her character.

After a cross-examination by Attorney Rosser, the girl was brought down from the Stand. During the cross-fire, her defiance frequently manifested itself in sharp retorts to her interrogator.

Had Many Jobs.

She stated that she had been a milliner, a telephone operator, a worker in the Pencil Factory and in other lines. She was asked what she had worked at during a certain period of her career. She lowered her head momentarily, then answered:

"Nothing dishonorable!"

"Well, but what?"

"I worked in a cotton factory!"

She was asked about other work.

"I never worked for you," she retorted. "I never took what Burke offered me!"

An Affidavit was read by Solicitor Dorsey during the morning which had been made by Annie Maud Carter the day previous to the Affidavit she made for the Defense. She stated in it that she had frequently visited Conley's cell, and had been asked by Mr.

Gilleland, a turnkey in the jail, to see if she could ascertain whether or not Conley was a pervert.

Gilleland told her, she swore, that there was money in it for her if she found that Conley was abnormal. She told a sensational story of being offered money to poison Conley by a "Jew whose name she didn't know." This man, she stated, gave her a small

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***BURNS MAY BE
PLACED UNDER
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Vial and told her to put a single drop of it on Conley's food.

"And be careful of it," she swears he told her, "as one drop of it is fatal."

An attack upon the methods of the Burns Agents was made in an Affidavit submitted by Dorsey from Charles Isom, who went to Chicago to work for Burns. Isom says that Aaron Allen, the Negro who was formerly employed as a Detective at Police Headquarters, was being questioned by the Burns people in the Illinois city.

Allen had told him, Isom swears, that he had been arrested in Indianapolis by Burns operatives and carried to Chicago. Isom says that he was brought to Chicago to work on Allen, and that

after questioning him thoroughly, they failed to get out of him the kind of story the Burns "crowd" wanted. He reported to Burns personally, he says, and was told by the Detective to "go on back and talk to him again; you can make him come across."

Isom says he went out to lunch, and that, upon return, found Allen locked in a room marked "fire escape." Inside, however, was a large cage, which one of Burns' Negro Detectives showed him, Isom says, could be adjusted in a short time like a jail cage.

"I talked to Allen in this room," Isom swears. "He told me on this second visit that he would make the required Affidavit, but that it would be a lie. I told him I did not want him to tell a lie. I then informed Burns of this. Burns said he'd talk to him in a few minutes."

"In a few minutes, Burns went back and got Allen. He said to Allen: 'You———you! You are just loyal to those Policemen, and you're telling me a damn lie, and you'd just as well come across and tell me all about it.' After this, the door that led to Burns' office was closed and I heard loud talking, but could not understand what was said."

"I afterwards came from Chicago to Chattanooga on the same train with W. J. Burns, and the next morning on the sleeper, Burns told me that Allen gave him the very Affidavit he wanted after I had left Burns' office that night."

"While I was in Burns' office talking to Allen on the day I got to Chicago, Stiles Hopkins came out of the room next door for the purpose of taking me into the hall. Hopkins passed out and said to me: 'Don't tell anybody about my being here and don't tell Allen that I am here.'"

An Affidavit has been made for Dorsey by Aaron Allen corroborating Isom's Statement. He tells of Burns trying to get him to make an Affidavit involving Conley. He says that after he persisted in refusing to make the Statement, he was led into a room and left alone. On a center table in the room was a big pile of greenbacks and silver coins. He says that he sat alone for some

time in a corner of the room, trying to count the money, but did not touch any of it.

Epps Repudiation.

The George Epps repudiation again came up Tuesday morning, when Solicitor Dorsey introduced an Affidavit from the Epps boy setting forth a story of a sensational abduction to Birmingham, where, he says, he was made to sign the Affidavit in which he renounced his testimony at the trial of Frank.

He told of being carried to Birmingham by a man posing under the name of Terry, who professed to be a prizefighter, and who said he would put the Epps boy into the prize ring. He went to Alabama, and, at the station, was met, he said, by a man named Kelly, whom he later identified as C. W. Burke, who put him under arrest, he says, under a fictitious charge and carried him to a Birmingham hotel.

After some time, he was given a document concerning the Frank Case to sign, and put his signature to it. He later came back to Atlanta, and a short time afterward, was sent by Judge Tindall to the State reformatory in Milledgeville.

Stiles Hopkins, the Attorney associated with the office of Luther Z. Rosser, submitted an Affidavit through Frank's Counsel to Judge Hill explaining his connection with the second Affidavit which Epps made for Frank's Defense.

Hopkins swears that he did not know who had formed the Affidavit, and that he carried it to Epps in Milledgeville, asking the boy if he had signed it previously, and if it were the truth. Epps, he swears, told him in the presence of Superintendent Lovvorn that it was the truth, and that he would willingly sign it again.

Mrs. Homer C. Edmondson, mother of Monteen Stover, told in an Affidavit read by the Solicitor, about Detective Burns seeking to interview Monteen one day in the offices of Samuel Boorstein, on which occasion Mrs. Edmondson says she slapped the face of Boorstein's woman Stenographer, who sought to

detain Monteen when the girl started to leave the room with her mother and father.

Brands Burns a Liar.

Mrs. Stover also brands Detective Burns a liar. She declares that his Statement on the stand last Saturday was false in that he had declared that he had tried to confer with Monteen Stover, and had been refused permission. She swears in the Affidavit that Mrs. Leo Frank and Rabbi Marx arranged an interview for Detective Burns with Monteen at the Edmondson home, and accompanied the Detective there.

Burns grew angry, she swears, when Monteen refused to go over the details of her Statement, referring the Detective to her sworn Statement, which was in the Court record. When Monteen stood her ground, Mrs. Edmondson says, Burns, preparing to leave, remarked to Mrs. Frank that “she was up against it—her husband would have to bear the thorns.”

Mrs. Edmondson swears that she was asked by Boorstein to bring Monteen to the Boorstein office where she was to be questioned by Burns. She, her husband and the girl went as requested, and were asked countless questions by Boorstein and others. She says Burns, at that time, was not present. Growing vexed at the questions, she says they started to leave. At this moment, Burns appeared. The father and mother and daughter, however, did not return to the office at the appearance of Burns, Mrs. Edmondson states. A woman Stenographer caught Monteen by the shoulder, she says, and attempted to stay her. Mrs. Edmondson, enraged at this, slapped the woman’s face, and continued with Monteen to the elevator.

The rebuttal testimony offered by the Defense comprised a huge pile of Affidavits from persons involved in the Frank Case investigations. A goodly number were from Burke, one was from Burns, and some came from Dan S. Lehon, the Burns lieutenant.

Luther Rosser Protests.

At one time when Mr. Dorsey was offering Affidavits which dealt with the operations of Detectives for the Defense, Attorney Luther Rosser protested on the grounds that the matters had nothing to do with the issue that had been brought by the retrial motion.

Judge Hill overruled the Attorney, declaring that the Solicitor was entitled to show the activities of Detectives working on the Case.

The opening of the Defense rebuttal testimony came with the Affidavits dealing with Albert McKnight's repudiation of his trial Statement. Affidavits were introduced from Judge Eugene Thomas, who took the renouncing document, and from John Minor and Charles Philips, reporters, who interviewed McKnight, and to whom the Negro positively declared he had sworn to a lie at the trial of Frank.

Other Affidavits bearing on McKnight's connection were made by Dan S. Lehon, Detective Burns, Fred Lyne, Dan McIntyre, and Dr. T. W. Hancock, and C. W. Burke—the latter of whom obtained McKnight's repudiation.

J. O. Knight, a notary public, swore to an Affidavit to the effect that he took Jimmie Mayfield's testimony, and that she vouched for the truth of the Affidavit which she later repudiated. He swears that Dan Lehon, C. W. Burke and Herbert Schiff were present when it was made.

B. Wildauer testified in an Affidavit that on Friday, May 1, he met J. C. Duffy on Marietta Street and showed him the Affidavit in which Duffy recanted his testimony, and that Duffy declared it was totally true. He says that Herbert J. Haas was with him at the time and heard Duffy vouch for the truth of the document.

It was during the presentation of testimony relative to the McKnight phase that Attorney Rosser made a veiled accusation that McKnight had been paid to repudiate his repudiation which he recently did upon coming to the Police Headquarters and

appealing for protection. McKnight is still locked up voluntarily in headquarters.

Rabbi David Marx, J. O. Knight, Isaac Schoen, B. Wildauer, Isaac Haas and Otto Schwab attest to an Affidavit declaring that Annie Maud Carter's Statement of Conley's confession was taken in Herbert Haas' office before them, and that she pronounced it true.

An Affidavit was submitted from C. W. Burke, who denies that he ever offered bribes Jimmie Wrenn, Burke's Assistant, makes a similar sworn Statement, saying that he was not employed by Counsel for Frank and that he had never been to Luther Rosser's office—had not even ever seen Rosser.

Wrenn also swears that Burke instructed him to seek the truth, and to accept nothing but that which was wholly true. Burke, in an Affidavit, admitted that he had used the name of Kelly in seeking to get a change of Statement from R. P. Barrett, and that he posed as a magazine writer from the North. He swears, however, that he did not offer the witness a bribe of any form.

Rabbi Marx Explains.

Rabbi Marx, in explanation of the charge that Mary Rich makes against him and Mrs. Lucile Frank, C. W. Burke and Dan Lehon, swears that between 1 and 2 o'clock on April 13, he, Mrs. Frank, Burke and Lehon called on Mary Rich. They read the Affidavit to her, he says, and asked her if it was true. She said it was, the Rabbi swears, except that she saw Conley come out from the rear of the Pencil Factory about 2:30 instead of 2:15 o'clock on the murder day.

"When she was asked to sign the Affidavit," the Rabbi says, "she said that she couldn't sign it, because she had sworn to God not to sign anything. Also that she feared newspaper notoriety."

Affidavits from Lehon and Burke uphold the Affidavit of Marx.

Burke also submitted a Statement in denial of the Dalton charge of attempted bribery, on the heels of which came an Affidavit from Jimmie Wrenn, denying the allegation that he had sought to find a co-conspirator who would “frame” a story to the effect that Jim Conley was a pervert.

Henry A. Alexander, an Attorney, has made a sworn Statement setting forth his study of the handwriting of Conley, and giving his opinion that the murder notes and the letters to Annie Maud Carter were undisputedly written by the same Author.

James I. Innis, a handwriting expert of Chicago, who was employed by Herbert J. Haas, has made a Statement that he studied Conley’s handwriting and the handwriting of the Annie Maud Carter notes for five hours, and that, in his opinion, they were unquestionably written by the same man—Conley.

At the resumption of the hearing at 10 o’clock this morning, the Defense will introduce some new evidence bearing on the Epps, Isom and Allen Affidavits introduced by Mr. Dorsey Tuesday afternoon, and will then close its Case. As Solicitor Dorsey has said that he will, in all likelihood, have no further evidence, the retrial motion will go to the arguments today.
